

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1422

IN THE MATTER OF:

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| Application of THE COLONIAL TRANSIT) | Served April 22, 1975 |
| COMPANY, INC., for Authority to) | |
| Perform Charter Operations Pursuant) | Application No. 861 |
| to Contract with Reston Commuter) | |
| Bus, Inc.) | Docket No. 287 |

By application, filed April 14, 1975, The Colonial Transit Company, Inc. (Colonial) seeks a certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(b) of the Compact, to perform a charter operation pursuant to contract. Colonial seeks authority to transport persons who are residents of Reston, Virginia, and members of the Reston Commuter Bus, Inc. (RCB) between Reston, Virginia, and Washington, D. C.

The transportation would be provided pursuant to a contract between Colonial and RCB. The proposed transportation service would consist of ten morning trips departing the Reston, Virginia, area between approximately 6:30 A. M. and 7:30 A. M., and ten evening trips departing the Washington, D. C., area between approximately 4:00 P. M. and 5:30 P. M. Colonial would render the proposed transportation service in 45 passenger motor coaches. RCB would compensate Colonial at the rate of \$45 per one way trip.

Title II, Article XII, Section 4(b) of the Compact provides as follows:

When an application is made under this section for a certificate, . . . , the Commission shall issue a certificate to any qualified applicant therefore, . . . , if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. (Emphasis added.)

Pursuant to this mandate, a hearing shall be scheduled to fully develop the basis for any finding as to Colonial's fitness to perform the proposed transportation service and the existing requirements of the public convenience and necessity for the proposed transportation service. Colonial should be prepared to present evidence that public convenience and necessity require such service and that the proposed rate per trip is justified by the cost of rendering the proposed transportation service.

We shall assess against Colonial an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear:

THEREFORE, IT IS ORDERED:

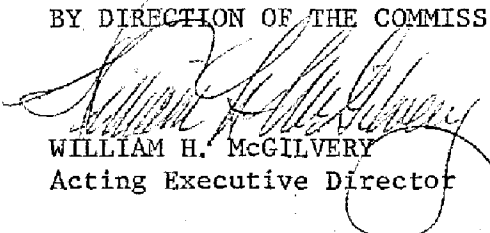
1. That Application No. 861 of The Colonial Transit Company, Inc., be, and it is hereby, scheduled for public hearing to commence Thursday, June 5, 1975, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That The Colonial Transit Company, Inc., publish notice in the form prescribed by the staff of the Commission of such application and hearing in a newspaper of general circulation in the Metropolitan District no later than Saturday, May 10, 1975, and present at the hearing, a certificate of publication from the selected newspaper.

3. That any person desiring to protest shall file a protest, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Friday, May 23, 1975, and shall mail a copy of such protest or such notice to counsel of record for The Colonial Transit Company, Inc., L. C. Major, Jr., Esquire, Suite 400, Overlook Office Building, 6121 Lincolnia Road, Alexandria, Virginia 22312.

4. That The Colonial Transit Company, Inc., be, and it is hereby, assessed \$500 which it is directed to deposit in the name and to the credit of the Washington Metropolitan Area Transit Commission in the American Security and Trust Company, 1612 K Street, N. W., Washington, D. C., on or before Thursday, May 29, 1975.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Acting Executive Director